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**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:10-cv-00250-RCL**

EXXON MOBIL CORPORATION v. DEPARTMENT OF
COMMERCE et al

Assigned to: Chief Judge Royce C. Lamberth
Cause: 05:552 Freedom of Information Act

Date Filed: 02/18/2010
Date Terminated: 12/08/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

EXXON MOBIL CORPORATION

represented by **Carla Jean Christofferson**
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071-2899
(213) 430-6407
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Jonathan D. Hacker
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Fax: (213) 430-6407
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V.

Defendant

DEPARTMENT OF COMMERCErepresented by **Michelle Lo**

U.S. ATTORNEY'S OFFICE
555 Fourth Street, NW
Washington, DC 20530
(202) 514-5134
Fax: (202) 514-8780
Email: Michelle.Lo2@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**ENVIRONMENTAL PROTECTION
AGENCY**represented by **Michelle Lo**

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/18/2010	1	COMPLAINT against EXXON MOBIL CORPORATION, DEPARTMENT OF COMMERCE (Filing fee \$ 350, receipt number 4616027534) filed by EXXON MOBIL CORPORATION. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit W, # 24 Exhibit Y, # 25 Exhibit Z, # 26 Exhibit AA, # 27 Exhibit BB, # 28 Exhibit CC, # 29 Exhibit DD, # 30 Exhibit EE, # 31 Exhibit FF, # 32 Exhibit GG, # 33 Exhibit HH, # 34 Exhibit II, # 35 Exhibit JJ, # 36 Exhibit KK, # 37 Exhibit LL, # 38 Exhibit MM, # 39 Exhibit NN, # 40 Exhibit OO, # 41 Exhibit PP, # 42 Exhibit QQ, # 43 Exhibit RR, # 44 Civil Cover Sheet)(zjf,) (Entered: 02/22/2010)
02/18/2010		SUMMONS (4) Issued as to DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (zjf,) (Entered: 02/22/2010)
03/15/2010	2	NOTICE of Appearance by Michelle Lo on behalf of DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Lo, Michelle) (Entered: 03/15/2010)
03/15/2010	3	NOTICE of Certificate of Service by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY re 2 Notice of Appearance (Lo, Michelle) (Entered: 03/15/2010)

03/16/2010	4	Consent MOTION for Extension of Time to File Answer re 1 Complaint,,, by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Lo, Michelle) (Entered: 03/16/2010)
03/29/2010		MINUTE ORDER granting 4 the defendants' consent motion for extension of time. The defendants shall respond to the complaint on or before 04/08/2010. SO ORDERED. Signed by Judge Ricardo M. Urbina on 03/29/2010. (lcrmu1) (Entered: 03/29/2010)
03/29/2010		Set/Reset Deadlines: Defendants' Answer to the Complaint due on or before 4/8/2010 (tg,) (Entered: 03/29/2010)
03/30/2010	5	NOTICE of Change of Address by Jonathan D. Hacker (Hacker, Jonathan) (Entered: 03/30/2010)
03/30/2010	6	AFFIDAVIT re 1 Complaint,,, Summons Issued as to AUSA / <i>Affidavit of mailing</i> by EXXON MOBIL CORPORATION. (Hacker, Jonathan) (Entered: 03/30/2010)
03/30/2010	7	AFFIDAVIT re 1 Complaint,,, Summons Issued as to AUSA / <i>Affidavit of mailing</i> by EXXON MOBIL CORPORATION. (Hacker, Jonathan) (Entered: 03/30/2010)
03/30/2010	8	SUMMONS Returned Executed by EXXON MOBIL CORPORATION. DEPARTMENT OF COMMERCE served on 2/22/2010, answer due 4/8/2010; ENVIRONMENTAL PROTECTION AGENCY served on 2/22/2010, answer due 4/8/2010. (See Docket Entries 6 and 7 to view documents). (znmw,) (Entered: 03/31/2010)
04/02/2010	9	Consent MOTION for Extension of Time to File Answer re 1 Complaint,,, by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Lo, Michelle) (Entered: 04/02/2010)
04/05/2010		MINUTE ORDER granting 9 the defendants' consent motion for extension of time. The defendants shall respond to the complaint on or before 05/10/2010. SO ORDERED. Signed by Judge Ricardo M. Urbina on 04/05/2010. (lcrmu1) (Entered: 04/05/2010)
04/05/2010		Set/Reset Deadlines: Defendants' Answer due on or before 5/10/2010 (tg,) (Entered: 04/05/2010)
05/05/2010	10	Consent MOTION for Extension of Time to File Answer re 1 Complaint,,,, MOTION for Leave to File <i>Extension Motion Out of Time</i> by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Lo, Michelle) (Entered: 05/05/2010)

05/11/2010		MINUTE ORDER granting 10 the defendants' motion for extension of time. The defendants shall answer or otherwise respond to the complaint on or before 06/09/2010. SO ORDERED. Signed by Judge Ricardo M. Urbina on 05/11/2010. (lcrmu1) (Entered: 05/11/2010)
05/12/2010		Set/Reset Deadlines: Answer to the Complaint due by 6/9/2010 (tg,) (Entered: 05/12/2010)
06/09/2010	1 1	ANSWER to 1 Complaint,,, by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY.(Lo, Michelle) (Entered: 06/09/2010)
06/10/2010	1 2	STANDING ORDER signed by Judge Ricardo M. Urbina on 6/10/2010. Read the Standing Order carefully, it will govern this case. Failure to follow the Standing Order will result in sanctions.(tg,) (Entered: 06/10/2010)
06/15/2010		MINUTE ORDER. Before the court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Federal Rule of Civil Procedure 26(f) do not apply in FOIA litigation. LCvR 16.3(b)(9); Fed. R. Civ. P. 26(f). Thus, the defendant may file a dispositive motion or, in the alternative, file a report setting forth the schedule according to which it will complete its production of documents to the plaintiff on or before 07/15/2010. SO ORDERED. Signed by Judge Ricardo M. Urbina on 06/15/2010. (lcrmu1) (Entered: 06/15/2010)
06/16/2010		Set/Reset Deadlines: Defendants' Dispositive Motion or, in the alternative, Scheduling Report due on or before 7/15/2010. (tg,) (Entered: 06/16/2010)
07/15/2010	1 3	MOTION for Summary Judgment by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Attachments: # 1 Statement of Facts, # 2 Declaration of Dr. Peter Hagen, # 3 Declaration of Craig R. O'Connor, # 4 Declaration of Dr. Stanley Rice, # 5 Declaration of Ellen Sebastian, # 6 Declaration of Cindy Kirchmer, # 7 Declaration of Albert Venosa, # 8 Text of Proposed Order) (Lo, Michelle) (Entered: 07/15/2010)
07/20/2010	1 4	MOTION for Extension of Time to File Response/Reply as to 13 MOTION for Summary Judgment by EXXON MOBIL CORPORATION (Attachments: # 1 Proposed Order, # 2 Certificate of Service)(Hacker, Jonathan) (Entered: 07/20/2010)
07/27/2010	1 5	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Carla Jean Christofferson, :Firm- OMelveny & Myers LLP, :Address- 400 South Hope Street, Los Angeles, California 90071. Phone No. - (213) 430-6000. Fax No. - (213) 430-6407 ; Declaration of C. Christofferson by EXXON MOBIL CORPORATION (Attachments: # 1 Proposed Order)(Hacker, Jonathan) (Entered: 07/27/2010)

07/29/2010		MINUTE ORDER granting 14 the plaintiff's consent motion for extension of time. The plaintiff's opposition to the defendant's motion for summary judgment shall be filed on or before 09/01/2010. SO ORDERED. Signed by Judge Ricardo M. Urbina on 07/29/2010. (lcrmu1) (Entered: 07/29/2010)
07/29/2010		MINUTE ORDER granting 15 the defendant's motion to admit Carla J. Christofferson pro hac vice. Carla J. Christofferson is hereby admitted to represent the plaintiff pro hac vice. SO ORDERED. Signed by Judge Ricardo M. Urbina on 07/29/2010. (lcrmu1) Modified to edit entry on 7/29/2010 (tg,). (Entered: 07/29/2010)
07/29/2010		Set/Reset Deadlines: Plaintiff's Opposition to Defendant's Motion for Summary Judgment due by 9/1/2010. (tg,) (Entered: 07/29/2010)
09/01/2010	1 6	Memorandum in opposition to re 13 MOTION for Summary Judgment filed by EXXON MOBIL CORPORATION. (Attachments: # 1 Separate Statement of Material Facts, # 2 Declaration of Carla J. Chrisofferson, # 3 Exhibit 1 to the Declaration of Carla J. Chrisofferson, # 4 Exhibit 2 to the Declaration of Carla J. Chrisofferson, # 5 Exhibit 3 to the Declaration of Carla J. Chrisofferson, # 6 Exhibit 4 to the Declaration of Carla J. Chrisofferson, # 7 Exhibit 5 to the Declaration of Carla J. Chrisofferson, # 8 Exhibit 6 to the Declaration of Carla J. Chrisofferson, # 9 Exhibit 7 to the Declaration of Carla J. Chrisofferson, # 10 Exhibit 8 to the Declaration of Carla J. Chrisofferson, # 11 Exhibit 9 to the Declaration of Carla J. Chrisofferson, # 12 Exhibit 10 to the Declaration of Carla J. Chrisofferson, # 13 Exhibit 11 to the Declaration of Carla J. Chrisofferson, # 14 Exhibit 12 to the Declaration of Carla J. Chrisofferson, # 15 Exhibit 13 to the Declaration of Carla J. Chrisofferson, # 16 Exhibit 14 to the Declaration of Carla J. Chrisofferson, # 17 Exhibit 15 to the Declaration of Carla J. Chrisofferson, # 18 Exhibit 16 to the Declaration of Carla J. Chrisofferson, # 19 Exhibit 17 to the Declaration of Carla J. Chrisofferson, # 20 Exhibit 18 to the Declaration of Carla J. Chrisofferson, # 21 Exhibit 19 to the Declaration of Carla J. Chrisofferson, # 22 Exhibit 20 to the Declaration of Carla J. Chrisofferson, # 23 Exhibit 21 to the Declaration of Carla J. Chrisofferson, # 24 Declaration of Barat Laporte, # 25 Exhibit 1 to the Declaration of Barat Laporte, # 26 Exhibit 2 to the Declaration of Barat Laporte, # 27 Exhibit 3 to the Declaration of Barat Laporte, # 28 Exhibit 4 to the Declaration of Barat Laporte, # 29 Exhibit 5 to the Declaration of Barat Laporte, # 30 Exhibit 6 to the Declaration of Barat Laporte, # 31 Exhibit 7 to the Declaration of Barat Laporte, # 32 Exhibit 8 to the Declaration of Barat Laporte, # 33 Exhibit 9 to the Declaration of Barat Laporte, # 34 Exhibit 10 to the Declaration of Barat Laporte, # 35 Exhibit 11 to the Declaration of Barat Laporte, # 36 Exhibit 12 to the Declaration of Barat Laporte, # 37 Exhibit 13 to the Declaration of Barat Laporte, # 38 Exhibit 14 to the Declaration of Barat Laporte, # 39 Exhibit 15 to the Declaration of Barat Laporte, # 40 Exhibit 16 to the Declaration of Barat Laporte, # 41 Exhibit 17 to the Declaration of Barat Laporte, # 42 Evid. Obj. to the Decl. of Dr. Albert Venosa, # 43 Evid. Obj. to the Decl. of Cindy Kirchmer, # 44 Evid. Obj. to the Decl. of Craig R. O'Connor, # 45 Evid. Obj. to the Decl. of Ellen Sebastian, # 46 Evid. Obj. to the Decl. of Dr. Peter Hagen, # 47 Evid. Obj. to the Decl. of Dr. Stanley Rice, # 48 Proposed Order, # 49 Certificate of Service)(Hacker, Jonathan) (Entered: 09/01/2010)

09/01/2010	1 7	Cross MOTION for Summary Judgment by EXXON MOBIL CORPORATION (Attachments: # 1 Separate Statement of Material Facts, # 2 Declaration of Carla J. Christofferson, # 3 Exhibit 1 to the Declaration of Carla J. Christofferson, # 4 Exhibit 2 to the Declaration of Carla J. Christofferson, # 5 Exhibit 3 to the Declaration of Carla J. Christofferson, # 6 Exhibit 4 to the Declaration of Carla J. Christofferson, # 7 Exhibit 5 to the Declaration of Carla J. Christofferson, # 8 Exhibit 6 to the Declaration of Carla J. Christofferson, # 9 Exhibit 7 to the Declaration of Carla J. Christofferson, # 10 Exhibit 8 to the Declaration of Carla J. Christofferson, # 11 Exhibit 9 to the Declaration of Carla J. Christofferson, # 12 Exhibit 10 to the Declaration of Carla J. Christofferson, # 13 Exhibit 11 to the Declaration of Carla J. Christofferson, # 14 Exhibit 12 to the Declaration of Carla J. Christofferson, # 15 Exhibit 13 to the Declaration of Carla J. Christofferson, # 16 Exhibit 14 to the Declaration of Carla J. Christofferson, # 17 Exhibit 15 to the Declaration of Carla J. Christofferson, # 18 Exhibit 16 to the Declaration of Carla J. Christofferson, # 19 Exhibit 17 to the Declaration of Carla J. Christofferson, # 20 Exhibit 18 to the Declaration of Carla J. Christofferson, # 21 Exhibit 19 to the Declaration of Carla J. Christofferson, # 22 Exhibit 20 to the Declaration of Carla J. Christofferson, # 23 Exhibit 21 to the Declaration of Carla J. Christofferson, # 24 Declaration of Barat Laporte, # 25 Exhibit 1 to the Declaration of Barat Laporte, # 26 Exhibit 2 to the Declaration of Barat Laporte, # 27 Exhibit 3 to the Declaration of Barat Laporte, # 28 Exhibit 4 to the Declaration of Barat Laporte, # 29 Exhibit 5 to the Declaration of Barat Laporte, # 30 Exhibit 6 to the Declaration of Barat Laporte, # 31 Exhibit 7 to the Declaration of Barat Laporte, # 32 Exhibit 8 to the Declaration of Barat Laporte, # 33 Exhibit 9 to the Declaration of Barat Laporte, # 34 Exhibit 10 to the Declaration of Barat Laporte, # 35 Exhibit 11 to the Declaration of Barat Laporte, # 36 Exhibit 12 to the Declaration of Barat Laporte, # 37 Exhibit 13 to the Declaration of Barat Laporte, # 38 Exhibit 14 to the Declaration of Barat Laporte, # 39 Exhibit 15 to the Declaration of Barat Laporte, # 40 Exhibit 16 to the Declaration of Barat Laporte, # 41 Exhibit 17 to the Declaration of Barat Laporte, # 42 Proposed Order, # 43 Certificate of Service)(Hacker, Jonathan) (Entered: 09/01/2010)
09/03/2010	1 8	Unopposed MOTION for Extension of Time to File Response/Reply as to 17 Cross MOTION for Summary Judgment, 13 MOTION for Summary Judgment by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Lo, Michelle) (Entered: 09/03/2010)
09/10/2010		MINUTE ORDER granting 18 the defendants' unopposed motion for extension of time to file reply in support of the defendants' motion for summary judgment and opposition to plaintiff's cross-motion for summary judgment. The defendants shall submit their reply in support of defendants' motion for summary judgment at the same time that they submit their opposition to the plaintiff's cross-motion for summary judgment, and it is further ordered that Defendants shall file their reply and opposition by 10/20/10. Signed by Judge Ricardo M. Urbina on 09/10/10.(lcrmu1) (Entered: 09/10/2010)
09/10/2010		Set/Reset Deadlines: Defendants' Opposition to Plaintiff's Cross-Motion For Summary Judgment and their Reply in support of their Motion for Summary Judgment due by 10/20/2010. (tg,) (Entered: 09/10/2010)

10/13/2010	<u>19</u>	Joint MOTION for Extension of Time to File Response/Reply as to <u>17</u> Cross MOTION for Summary Judgment, <u>13</u> MOTION for Summary Judgment by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY, EXXON MOBIL CORPORATION (Lo, Michelle) (Entered: 10/13/2010)
10/13/2010		MINUTE ORDER granting <u>19</u> the parties' joint motion for an extension of time to file response/reply. It is ordered that the defendants shall have until 10/27/10 to submit their reply in support of their motion for summary judgment and opposition to plaintiff's cross-motion for summary judgment. The plaintiff shall until 11/17/10 to file the reply in support of the plaintiffs cross-motion for summary judgment. SO ORDERED. Signed by Judge Ricardo M. Urbina on 10/13/10.(lcrmu1) Modified event title on 10/14/2010 (znmw,). (Entered: 10/13/2010)
10/13/2010		Set/Reset Deadlines: Defendants' Reply in support of their Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion due by 10/27/2010. Plaintiff's Reply to Defendant's Opposition to the Cross Motion due by 11/17/2010. (tg,) (Entered: 10/14/2010)
10/27/2010	<u>20</u>	REPLY to opposition to motion re <u>13</u> MOTION for Summary Judgment <i>and Opposition to Plaintiff's Motion for Summary Judgment</i> filed by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Supplemental Declaration of Dr. Peter Hagen, # <u>5</u> Supplemental Declaration of Craig R. O'Connor, # <u>6</u> Supplemental Declaration of Dr. Stanley Rice, # <u>7</u> Supplementary Declaration of Albert Venosa, # <u>8</u> Text of Proposed Order)(Lo, Michelle) (Entered: 10/27/2010)
10/27/2010	<u>21</u>	Memorandum in opposition to re <u>17</u> Cross MOTION for Summary Judgment <i>and Reply Memorandum in Further Support of Defendants' Motion for Summary Judgment</i> filed by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Supplemental Declaration of Dr. Peter Hagen, # <u>5</u> Supplemental Declaration of Craig R. O'Connor, # <u>6</u> Supplemental Declaration of Dr. Stanley Rice, # <u>7</u> Supplementary Declaration of Albert Venosa, # <u>8</u> Text of Proposed Order)(Lo, Michelle) (Entered: 10/27/2010)
11/17/2010	<u>22</u>	REPLY to opposition to motion re <u>17</u> Cross MOTION for Summary Judgment filed by EXXON MOBIL CORPORATION. (Attachments: # <u>1</u> Supplemental Declaration of Carla Christofferson, # <u>2</u> Exhibit 1 to the Supplemental Declaration of Carla Christofferson, # <u>3</u> Exhibit 2 to the Supplemental Declaration of Carla Christofferson, # <u>4</u> Exhibit 3 to the Supplemental Declaration of Carla Christofferson)(Hacker, Jonathan) (Entered: 11/17/2010)
11/17/2010	<u>23</u>	RESPONSE re <u>21</u> Memorandum in Opposition,, <i>/Evidentiary Objections to the Supplemental Declarations of Mr. Craig O'Connor, Dr. Peter Hagen, Dr. Stanley Rice and Dr. Albert Venosa</i> filed by EXXON MOBIL CORPORATION. (Hacker, Jonathan) (Entered: 11/17/2010)

11/17/2010	2 4	REPLY re 21 Memorandum in Opposition,, / <i>Reply to Defendants' Response to Plaintiff's Separate Statement of Material Facts not in Genuine Dispute (see exh. A to dkt item 21)</i> filed by EXXON MOBIL CORPORATION. (Hacker, Jonathan) (Entered: 11/17/2010)
12/07/2010	2 5	MOTION for Leave to File <i>Surreply in Further Opposition to Plaintiff's Cross-Motion for Summary Judgment</i> by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Attachments: # 1 Proposed Surreply, # 2 Text of Proposed Order)(Lo, Michelle) (Entered: 12/07/2010)
12/21/2010	2 6	Memorandum in opposition to re 25 MOTION for Leave to File <i>Surreply in Further Opposition to Plaintiff's Cross-Motion for Summary Judgment</i> filed by EXXON MOBIL CORPORATION. (Attachments: # 1 Text of Proposed Order)(Hacker, Jonathan) (Entered: 12/21/2010)
01/03/2011	2 7	REPLY to opposition to motion re 25 MOTION for Leave to File <i>Surreply in Further Opposition to Plaintiff's Cross-Motion for Summary Judgment</i> filed by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY. (Lo, Michelle) (Entered: 01/03/2011)
01/20/2011		Case reassigned to U.S. District Judge Robert L. Wilkins. Judge Ricardo M. Urbina no longer assigned to the case. (gt,) (Entered: 01/20/2011)
04/19/2011		MINUTE ORDER denying 25 Motion for Leave to File Surreply in Further Opposition to Plaintiff's Cross-Motion for Summary Judgment. Signed by Judge Robert L. Wilkins on 4/19/2011. (tcb) . (Entered: 04/19/2011)
08/31/2011	2 8	NOTICE OF SUPPLEMENTAL AUTHORITY by DEPARTMENT OF COMMERCE, ENVIRONMENTAL PROTECTION AGENCY (Attachments: # 1 D.C. Circuit opinion)(Lo, Michelle) (Entered: 08/31/2011)
10/07/2011	2 9	Case Reassigned to Chief Judge Royce C. Lamberth. Judge Robert L. Wilkins no longer assigned to the case. (jeb,) (Entered: 10/07/2011)
12/08/2011	3 0	ORDER granting 13 defendants' Motion for Summary Judgment; denying 17 plaintiff's Motion for Summary Judgment. This case is hereby dismissed with prejudice. Signed by Chief Judge Royce C. Lamberth on December 8, 2011. (lcrl3) (Entered: 12/08/2011)
12/08/2011	3 1	MEMORANDUM OPINION. Signed by Chief Judge Royce C. Lamberth on December 8, 2011. (lcrl3) (Entered: 12/08/2011)

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